

**Notice of Allowability**

Application No.

09/666,650

Examiner

Shawn M. Becker

Applicant(s)

PEEVERS ET AL.

Art Unit

2173

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment B, filed 5/7/2004.
2. ☒ The allowed claim(s) is/are 1, 2 and 8-11.
3. ☒ The drawings filed on 9/15/2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets" ) must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948 ) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Garth Vivier on 6/22/04.

3. The application has been amended as follows:

Please append claim 1, line 22 with:

--wherein said act of detecting comprises detecting when a luminescence parameter of the video signal passes a threshold; and--

Please remove line 23 of claim 1.

Please substitute "a selected event " in line 24 of claim 1 with:

--the selected event--.

4. Therefore, claim 1 should read:

A method of generating a computer generated animation to provide a visual accompaniment to music, comprising:  
displaying an animation scene including a plurality of 3D objects;  
displaying an object selection screen for allowing a user to select one object currently displayed in said animation scene as a selected object;  
providing a video signal from a source external to the computer;

displaying a video selection icon;

displaying a face template having facial feature indications and oriented and scaled to match a target object included in the animation, with the feature indications corresponding to similarly oriented regions on the target object;

orienting a video signal image so that an image of a face is aligned with the face template and features of the face are overlaid by feature indications of the templates;

mapping features of the face aligned to feature indications of the template to corresponding regions of the target object; and

deforming part of a surface of the target object onto which the features of the face are mapped. and wherein

if the user clicks the video selection icon

texture mapping the video signal onto the selected object in the animation scene so that a texture-mapped video signal is displayed on the surface of the selected object;

altering an appearance of the texture-mapped video signal displayed on the surface of the selected object based on music events;

detecting a selected event in the video signal being texture-mapped; wherein

said act of detecting comprises detecting when a luminescence parameter of the video signal passes a threshold; and

altering the appearance of the texture-mapped video when the selected event is detected.

5. Claims 1-2 and 8-11 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art fails to teach or fairly suggest altering the appearance of texture-mapped video based on the detection of a luminescence parameter passing a threshold as specifically claimed in claim 1 in combination with the distinct features and limitations, such as altering the appearance of a video signal, aligned with a face template, based on music events that are expressly claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

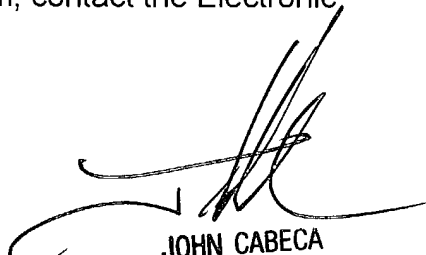
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn M. Becker whose telephone number is (703) 305-7756. The examiner can normally be reached on M-F 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smb



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